

Message Text

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ORIGIN EA-10

INFO OCT-01 ISO-00 H-02 L-03 EB-07 COME-00 AGR-05 CIAE-00

INR-07 NSAE-00 /035 R

DRAFTED BY EA/IMS:ARDORNHEIM:SG

APPROVED BY EA/IMS:ECINGRAHAM

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R 011442Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

INFO AMCONSUL MELBOURNE

AMCONSUL HONG KONG

AMCONSUL SURABAYA

AMCONSUL MEDAN

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E.O. 11652: N/A

TAGS: BDIS ID

SUBJECT: CAMEO-NIXA TRADE COMPLAINT

REF: JAKARTA 7605

1. SUBSTANCE REFTEL REPORT PASSED BY TELEPHONE TO GUNN. HE ASKED FOR EMBASSY'S REPORT AND WAS GIVEN COPY PARAS ONE AND TWO REFTEL.

2. GUNN SEEMED TO REALIZE HE WOULD HAVE TO LIVE WITH GOI ARRANGEMENTS WITH P.T. INDAUS TO SECURE REPAYMENT OF DEMURRAGE CHARGES.

3. POINT MADE TO GUNN THAT GOI TRADE DEPT.'S RESPONSIBILITY TO CAMEO-NIXA LIMITED ONLY TO 10,000 TONS HE HAD SHIPPED. IMPORT AWARD AMENDMENT UPON WHICH GUNN RELIED SHOWED CAMEO-NIXA AS SUPPLIER FOR ONLY 10,000
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TONS, NOT 60,000 TONS. IMPLICATION WAS THAT WHEN SIGNING

CONTRACT WITH KIN TAK HONG TO SUPPLY 60,000 TONS FOR DELIVERY TO INDONESIA, CAMEO-NIXA SHOULD HAVE ASSURED ITSELF THAT P.T. INDAUS WOULD SECURE FURTHER AMENDMENT TO ITS TRADE DEPT. AWARD DESIGNATING CAMEO-NIXA, VICE INDAUS TRADING CO., PTY LTD (AUSTRALIA), AS SUPPLIER FOR ANOTHER 50,000 TONS. (IN FACT, WHEN GUNN SIGNED

CONTRACT WITH KIN TAK HONG ON DECEMBER 23, INDAUS HAD NOT EVEN APPLIED TO DEPT OF TRADE FOR 10,000-TON AWARD AMENDMENT.

4. ADIWOSO RECEIVED HIS REPORT FROM JAKARTA SAME TIME EA/IMS RECEIVED REFTEL (JUNE 25). HE PASSED INFO SUBSTANTIALLY CONTAINED PARA 1-J REFTEL TO SENATOR EAGLETON'S OFFICE, WITH CONCLUSION THAT GOI DOES NOT FEEL UNDER OBLIGATION TO HONOR CONTRACT BETWEEN CAMEO-NIXA AND KIN TAK HONG.

5. EA/IMS HAS CONVEYED MAIN POINTS IN REFTEL TO OFFICES OF BOTH SENATOR EAGLETON AND CONGRESSMAN TAYLOR. STAFF MEMBERS SEEMED SATISFIED WITH DEPARTMENT'S EFFORTS ON BEHALF GUNN.

6. FOR PRESENT, WE ASSUME GUNN ACCEPTS EMBASSY'S JUDGMENT THAT HE HAS TO WORK WITH P.T. INDAUS AND KIN TAK HONG TO RESOLVE HIS PROBLEMS. UNLESS HE REOPENS HIS CASE IN ANY SIGNIFICANT WAY, DEPARTMENT PLANS NO FURTHER ACTION. INGERSOLL

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